

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON

CLIFFORD OWENSBY,

Plaintiff,

Case No. 3:21-cv-343

vs.

CITY OF DAYTON, *et al.*,

District Judge Michael J. Newman
Magistrate Judge Caroline H. Gentry

Defendants.

ORDER: (1) SUA SPONTE EXTENDING PRO SE PLAINTIFF'S DEADLINE TO RESPOND TO THE PENDING MOTION FOR SUMMARY JUDGMENT UNTIL ON OR BEFORE AUGUST 25, 2023; AND (2) NOTIFYING PRO SE PLAINTIFF OF THE PENDING DISPOSITIVE MOTION (Doc. No. 31)

This civil case is before the Court after the United States Magistrate Judge granted Plaintiff's counsel's motion to withdraw. Doc. No. 40. Thus, as of July 28, 2023, Plaintiff is now proceeding *pro se*. On May 19, 2023, Defendants filed a motion for summary judgment. Doc. No. 31. Plaintiff's time to respond to this motion expires on August 11, 2023.

Considering his recent *pro se* status, and, to afford him the adequate time necessary to address this motion, the Court **SUA SPONTE EXTENDS** the deadline for him to submit a response in opposition to the pending motion for summary judgment until **on or before August 25, 2023**. *See, e.g., Basaran v. Martin Data, LLC*, No. 2:21-cv-4230, 2021 WL 7908557, at *2 (S.D. Ohio Oct. 1, 2021). Accordingly, Plaintiff is hereby **NOTIFIED** that Defendants have filed a motion for summary judgment pursuant to Fed. R. Civ. P. 56. Doc. No. 11.

Plaintiff's response to this motion must be filed no later than **August 25, 2023** and must conform to the requirements of Fed. R. Civ. P. 56. When he files his response, he must include a certificate confirming that he has served his response on *all* parties in the case. Plaintiff is directed

to the Court's [Pro Se Guide for Civil Litigants](#) for guidance on how to respond to this motion. See United States District Court for the Southern District of Ohio, *A Guide for Pro Se Civil Litigants: Representing Yourself in the United States District Court for the Southern District of Ohio* (2017), <https://www.ohsd.uscourts.gov/pro-se-handbook>.

If Plaintiff fails to file a timely response to Defendants' motion for summary judgment, he is on notice that their motion may be granted and his claims against them may be dismissed.

IT IS SO ORDERED.

August 4, 2023

s/ Michael J. Newman

Hon. Michael J. Newman
United States District Judge